



General Assembly

February Session, 2008

Substitute Bill No. 5600

* _____ HB05600ENV _____ 031008 _____ *

AN ACT CONCERNING CONNECTICUT GLOBAL WARMING SOLUTIONS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 22a-200 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2008*):

3 As used in sections 22a-200 to 22a-200b, inclusive, as amended by
4 this act, sections 3, 5, 6 and 9 of this act and section 4a-67h:

5 (1) "Direct emissions" means emissions from sources that are owned
6 or operated, in whole or in part, by an entity or facility, including, but
7 not limited to, emissions from factory stacks, manufacturing processes
8 and vents, and company owned or leased motor vehicles;

9 (2) "Entity" means a person, as defined in section 22a-2, that owns or
10 operates, in whole or in part, a source of greenhouse gas emissions
11 from a generator of electricity or a commercial or industrial site, which
12 source may include, but not be limited to, a transportation fleet;

13 (3) "Facility" means a building, structure or installation located on
14 any one or more contiguous or adjacent properties of an entity;

15 (4) "Greenhouse gas" means any chemical or physical substance that
16 is emitted into the air and that the Commissioner of Environmental
17 Protection may reasonably anticipate will cause or contribute to

18 climate change, including, but not limited to, carbon dioxide, methane,
19 nitrous oxide, hydrofluorocarbons, perfluorocarbons and sulfur
20 hexafluoride;

21 (5) "Indirect emissions" means emissions associated with the
22 consumption of purchased electricity, steam and heating or cooling by
23 an entity or facility.

24 Sec. 2. Section 22a-200a of the general statutes is repealed and the
25 following is substituted in lieu thereof (*Effective October 1, 2008*):

26 [(a) It shall be the goal of the state to reduce emissions of
27 greenhouse gas in order to make an appropriate contribution to
28 achieving the regional goals of reducing emissions of greenhouse gas
29 to those levels emitted in 1990, which reduction to occur not later than
30 January 1, 2010, and to levels ten per cent below the 1990 levels not
31 later than January 1, 2020. The Commissioner of Environmental
32 Protection shall consult with the Conference of New England
33 Governors and Eastern Canadian Premiers to establish a date for the
34 long-term regional goal of reducing the emissions of greenhouse gas
35 by seventy-five to eighty-five per cent below 2001 levels. If the
36 Conference of New England Governors and Eastern Canadian
37 Premiers has not established a date for such long-term regional goal by
38 January 1, 2007, the date for reaching such goal shall be 2050.

39 (b) Not later than January 1, 2005, the Governor's Steering
40 Committee on Climate Change, established in November 2002, shall
41 develop a multisector, comprehensive climate change action plan, with
42 the opportunity for public comment, which plan shall contain the
43 policies and programs necessary to achieve the state's goals for the
44 reduction of greenhouse gas emissions by 2010 and 2020. The steering
45 committee shall notify each member of the General Assembly of the
46 development of such plan and of such opportunity for public
47 comment. Not later than January 1, 2005, the steering committee shall
48 submit, in accordance with section 11-4a, such plan to the joint
49 standing committees of the General Assembly having cognizance of

50 matters relating to the environment, energy, transportation and
51 commerce. Not later than January 15, 2005, such committees shall
52 convene a joint informational public hearing for the purpose of
53 reviewing such plan. Not later than February 1, 2005, such committees
54 shall meet for the purpose of consideration of endorsement of such
55 plan. Not later than February 15, 2005, the steering committee shall
56 submit a final plan to such committees.

57 (c) Not later than January 1, 2008, the steering committee shall
58 develop an amended climate change action plan, with the opportunity
59 for public comment, for achieving the state's contribution towards
60 reaching the long-term regional goal established pursuant to
61 subsection (a) of this section. The steering committee shall submit, in
62 accordance with section 11-4a, such plan to the joint standing
63 committee of the General Assembly having cognizance of matters
64 relating to the environment.

65 (d) Not later than December 1, 2005, and annually thereafter, the
66 Commissioner of Environmental Protection, in collaboration with the
67 commissioners of other state agencies and the steering committee, shall
68 submit a report to the joint standing committee of the General
69 Assembly having cognizance of matters relating to the environment on
70 the progress made in achieving the goals established in subsection (a)
71 of this section and to evaluate the appropriateness of the climate
72 change action plans developed pursuant to subsections (b) and (c) of
73 this section in achieving such goals.]

74 (a) The state shall reduce the level of emissions of greenhouse gas:

75 (1) Not later than January 1, 2020, to a level at least ten per cent
76 below the level emitted in 1990; and

77 (2) Not later than January 1, 2050, to a level at least eighty per cent
78 below the level emitted in 2001.

79 (b) The Commissioner of Environmental Protection, in consultation
80 with the Department of Public Utility Control, shall establish emission

81 levels and limits associated with the electric sector based on
82 consumption and purchases of electricity from the regional electric
83 power grid. In establishing such emission levels and limits, the
84 commissioner shall take into account the Regional Greenhouse Gas
85 Initiative and the renewable portfolio standards established under
86 section 16-245a of the 2008 supplement to the general statutes.

87 (c) On or before January 1, 2012, the Secretary of the Office of Policy
88 and Management, the Commissioners of Environmental Protection,
89 Transportation and Administrative Services shall each adopt
90 regulations, in accordance with the provisions of chapter 54, to
91 implement the provisions of this section as such provisions relate to
92 each commissioner's agency. Such regulations shall be designed to: (1)
93 Minimize costs and maximize the total benefit to the state, encourage
94 innovation, stimulate investment in low greenhouse gas technologies
95 and encourage early action to reduce greenhouse gas emissions; (2)
96 ensure that compliance with the regulations furthers rather than
97 conflicts with federal and state ambient air quality standards and goals
98 to reduce toxic air contaminant emissions; (3) weigh overall societal
99 potential benefits, including reductions in other air pollutants,
100 diversification of energy sources, and other benefits to the economy,
101 environment and public health; (4) ensure that activities undertaken to
102 comply with the regulations do not disproportionately impact low-
103 income and minority communities; (5) minimize the administrative
104 burden of implementing and complying with the regulations; (6)
105 consider the significance of the contribution of each source or category
106 of sources to state-wide greenhouse gas emissions; and (7) result in
107 greenhouse gas emission reductions that are real, permanent,
108 quantifiable, verifiable and enforceable. Such regulations shall provide
109 for an evaluation of policies and programs by the Department of
110 Environmental Protection based upon a greenhouse gas emissions cost
111 of ten dollars per ton of carbon dioxide, to be adjusted for inflation, or
112 the current Regional Greenhouse Gas Initiative or federal allowance
113 price, whichever is higher. The commissioner may adjust such cost to
114 reflect the projected costs of carbon over the lifetime of a proposed

115 project.

116 (d) The Office of Policy and Management and the Governor's
117 Steering Committee on Climate Change shall monitor and enforce
118 compliance with this section and the regulations adopted pursuant to
119 this section.

120 (e) Not later than January 1, 2012, and every five years thereafter,
121 the Secretary of the Office of Policy and Management, in consultation
122 with the Commissioner of Environmental Protection and the
123 Governor's Steering Committee on Climate Change, shall report, in
124 accordance with the provisions of section 11-4a, on the progress made
125 in achieving the emissions reductions pursuant to subsection (a) of this
126 section and an assessment of the latest scientific information and
127 relevant data regarding global climate change and the status of
128 emissions reduction achieved in other states and countries to the
129 General Assembly.

130 (f) The Secretary of the Office of Policy and Management and
131 Commissioners of Transportation, Administrative Services and
132 Environmental Protection shall each adopt regulations in accordance
133 with the provisions of chapter 54, as needed, to meet the emissions
134 limits required by subsection (a) of this section.

135 Sec. 3. Section 22a-200b of the general statutes is repealed and the
136 following is substituted in lieu thereof (*Effective October 1, 2008*):

137 (a) The Commissioner of Environmental Protection shall work to
138 establish a regional greenhouse gas registry for greenhouse gas
139 emissions and a regional reporting system in conjunction with other
140 states or a regional consortium.

141 (b) Not later than April 15, 2006, and annually thereafter, the owner
142 or operator of any facility that is required to report air emissions data
143 to the Department of Environmental Protection pursuant to Title V of
144 the federal Clean Air Act and that has stationary emissions sources
145 that emit greenhouse gases shall report to the regional registry direct

146 stack emissions of greenhouse gases from such sources. The owner or
147 operator shall report all greenhouse gas emissions in a type and format
148 that the regional registry can accommodate.

149 [(c) The commissioner shall consider, on an annual basis, requiring
150 the expansion of reporting to the regional greenhouse gas registry to
151 include, but not be limited to, other facilities or sectors, greenhouse
152 gases, or direct and indirect emissions. A decision for or against an
153 expansion of reporting and an explanation of such decision shall be
154 included in the annual report required pursuant to subsection (d) of
155 section 22a-200a.]

156 (c) Not later than April 15, 2009, the owner or operator of any
157 facility that has stationary emissions sources that emit greenhouse
158 gases in excess of ten thousand tons in carbon dioxide equivalents
159 shall report to the regional greenhouse gas registry direct emissions of
160 greenhouse gases from such sources, on a form prescribed by the
161 commissioner. Such owner or operator shall report all greenhouse gas
162 emissions in a type and format that the regional greenhouse gas
163 registry can accommodate. Each year the commissioner shall consider
164 whether to expand the reporting requirements to include other entities
165 or facilities.

166 (d) Not later than July 1, 2006, the commissioner shall provide for
167 the voluntary reporting of emissions of greenhouse gas to the regional
168 greenhouse gas registry by entities and facilities that are not required
169 to submit information pursuant to subsections (b) and (c) of this
170 section but which do so on a voluntary basis. The greenhouse gas
171 emissions reported shall be of a type and format that the regional
172 greenhouse gas registry can accommodate.

173 (e) If a regional greenhouse gas registry is not developed and
174 implemented by April 15, 2007, the commissioner shall evaluate the
175 feasibility of establishing and administering a state-wide greenhouse
176 gas registry for the collection of emissions data pursuant to subsections
177 (b) and (c) of this section. If a regional greenhouse gas registry is

178 developed after the commissioner establishes a state-wide greenhouse
179 gas registry, the reporting requirements in subsections (b) and (c) of
180 this section shall revert to the regional greenhouse gas registry in
181 accordance with said subsections (b) and (c).

182 (f) Where appropriate and feasible, the state shall incorporate the
183 standards and protocols developed by the national Climate Registry,
184 established by the Northeast States for Coordinated Air Use
185 Management and the Northeast States Center for a Clean Air Future.

186 ~~[(f)]~~ (g) Not later than July 1, 2006, and triennially thereafter, the
187 commissioner shall publish a state greenhouse gas emissions inventory
188 that includes comprehensive estimates of the quantity of greenhouse
189 gas emissions in the state for the last three years in which data is
190 available.

191 ~~[(g)]~~ (h) The commissioner may adopt regulations, in accordance
192 with the provisions of chapter 54, to implement the provisions of this
193 section. Nothing in section 4a-67h, 22a-200, as amended by this act,
194 22a-200a, as amended by this act, or this section shall limit a state
195 agency from adopting any regulation within its authority in
196 accordance with the provisions of chapter 54.

197 Sec. 4. Section 22a-200c of the 2008 supplement to the general
198 statutes is repealed and the following is substituted in lieu thereof
199 (*Effective October 1, 2008*):

200 (a) The Commissioner of Environmental Protection shall adopt
201 regulations, in accordance with chapter 54, to implement the Regional
202 Greenhouse Gas Initiative.

203 (b) The Department of Environmental Protection, in consultation
204 with the Department of Public Utility Control, shall auction all
205 emissions allowances and invest the proceeds on behalf of electric
206 ratepayers in energy conservation, load management and Class I
207 renewable energy programs and such allowances may be used to cover
208 the reasonable administrative costs of state agencies associated with

209 the adopting of regulations in accordance with section 22a-200a, as
210 amended by this act. In making such investments, the Commissioner
211 of Environmental Protection shall consider strategies that maximize
212 cost effective reductions in greenhouse gas emission. Allowances shall
213 be auctioned under the oversight of the Department of Public Utility
214 Control and the Department of Environmental Protection by a
215 contractor or trustee on behalf of the electric ratepayers.

216 (c) The regulations adopted pursuant to subsection (a) of this section
217 may include provisions to cover the reasonable administrative costs
218 associated with the implementation of the Regional Greenhouse Gas
219 Initiative in Connecticut and to fund assessment and planning of
220 measures to reduce emissions and mitigate the impacts of climate
221 change. Such costs shall not exceed seven and one-half per cent of the
222 total projected allowance value. Such regulations may also set aside a
223 portion of the allowances to support the voluntary renewable energy
224 provisions of the Regional Greenhouse Gas Initiative model rule and
225 combined heat and power.

226 (d) Any allowances or allowance value allocated to the energy
227 conservation load management program on behalf of electric
228 ratepayers shall be incorporated into the planning and procurement
229 process in sections 16a-3a of the 2008 supplement to the general
230 statutes and 16a-3b of the 2008 supplement to the general statutes.

231 Sec. 5. (NEW) (*Effective October 1, 2008*) (a) In order to achieve the
232 emission reduction requirements established in section 22a-200a of the
233 general statutes, as amended by this act, the state shall implement the
234 following:

235 (1) (A) Not later than January 1, 2009, the Commissioner of
236 Environmental Protection, in consultation with the Commissioner of
237 Transportation and the Secretary of the Office of Policy and
238 Management, may adopt regulations, in accordance with chapter 54 of
239 the general statutes, to establish a low-carbon fuel standard for all
240 motor vehicle and home heating fuels sold in the state.

241 (B) The Department of Environmental Protection shall not establish
242 such standard until the department assesses whether a sufficient
243 analytical framework exists for measuring full lifecycle greenhouse gas
244 emissions, including direct and indirect emissions of greenhouse gas
245 caused by changes in land use or other factors. Such assessment shall
246 include, but not be limited to, the modeling tools developed by the
247 California Air Resources Board and the United States Environmental
248 Protection Agency. For the purposes of this subdivision, "sufficient
249 analytical framework" means that the measurement tool used
250 accurately measures actual lifecycle greenhouse gas emissions.

251 (C) The fuel full lifecycle analysis shall include all stages of fuel and
252 feedstock production and distribution, from feedstock generation or
253 extraction to distribution, delivery and use of the finished fuel to the
254 ultimate consumer, and shall adjust the mass values for all greenhouse
255 gas emissions relative to such emissions' relative global warming
256 potential.

257 (D) Any such regulations adopted pursuant to this subdivision shall
258 mandate the use of a sufficient analytical framework and shall
259 establish a declining standard for greenhouse gas emissions measured
260 in CO2 equivalent grams per unit of fuel energy sold sufficient to
261 achieve not less than a ten per cent reduction in the lifecycle carbon
262 intensity of all motor vehicle and home heating fuels sold in the state
263 by 2020. The low carbon fuel standard shall address environmental
264 issues associated with the production of new fuels, including, but not
265 limited to, sustainability, the impact on water, air and soil quality, land
266 use change and food production. The relevant agency shall consider
267 the standards established by other states when adopting any such
268 regulations.

269 (2) The Department of Transportation shall investigate the potential
270 for the expansion of high-speed and light-rail passenger service and
271 expanded freight rail service within the Northeast region. Such
272 investigation shall include, but not be limited to, the development of
273 new rail corridors, opportunity to reduce vehicle miles traveled, and

274 an analysis of the economic and environmental benefits and effect on
275 greenhouse gas emissions of such expanded passenger and freight rail
276 service. Not later than June 1, 2009, the Commissioner of
277 Transportation shall report, in accordance with the provisions of
278 section 11-4a of the general statutes, regarding the results of such
279 investigation to the General Assembly.

280 (3) The Department of Environmental Protection shall work with
281 interested states and Canadian provinces to develop and implement
282 market-based compliance mechanisms to achieve the greenhouse gas
283 levels and limits established by section 22a-200a of the general statutes,
284 as amended by this act, including, but not limited to, cap and trade
285 programs.

286 (4) All facilities owned or leased by the state shall offset any
287 greenhouse gas emissions resulting from the removal of forests,
288 associated biomass and soil carbon through investments in land use-
289 based carbon offsets within the state. The Secretary of the Office of
290 Policy and Management, in consultation with the Commissioner of
291 Environmental Protection, shall develop standards and verification
292 protocols to ensure that such offsets occur and that such offsets are
293 permanent, enforceable and verifiable.

294 (5) The Secretary of the Office of Policy and Management, in
295 consultation with the Commissioner of Environmental Protection, shall
296 develop a model municipal smart growth code that municipalities may
297 adopt. Such model code shall encourage open space preservation,
298 mixed land uses, compact building design, the availability of public
299 transit and other low-carbon emission transportation alternatives, and
300 shall emphasize strengthening and directing development towards
301 existing infrastructure. The secretary shall investigate potential
302 incentives to encourage municipalities to adopt the model code and
303 shall report, in accordance with the provisions of section 11-4a of the
304 general statutes, to the General Assembly regarding its findings no
305 later than January 1, 2009.

306 Sec. 6. (NEW) (*Effective October 1, 2008*) (a) No load-serving entity in
307 the state of Connecticut shall sign a power purchase agreement or
308 capacity contract for, and the Department of Environmental Protection
309 shall not issue a permit for, any new baseload fossil fuel power plant
310 that commences operations after June 1, 2008, that exceeds the carbon
311 dioxide emissions rate of one thousand one hundred pounds per
312 megawatt-hours for the total emissions associated with producing
313 electricity, including useful thermal output, except that the
314 Commissioner of Environmental Protection may reduce such rate to
315 account for advances in technology.

316 (b) The Department of Environmental Protection may adopt
317 regulations in accordance with the provisions of chapter 54 of the
318 general statutes to create monitoring and verification requirements to
319 ensure the capture and sequestration of carbon dioxide. Any such
320 regulations shall be consistent with any federal guidelines concerning
321 permanent sequestration of carbon dioxide. Greenhouse gas emissions
322 that are sequestered permanently, pursuant to any such regulations,
323 shall be excluded from the determination of whether the greenhouse
324 gas emission limits established under section 22a-200 of the general
325 statutes, as amended by this act, have been met.

326 Sec. 7. Section 22a-1b of the general statutes is repealed and the
327 following is substituted in lieu thereof (*Effective October 1, 2008*):

328 The General Assembly directs that, to the fullest extent possible:

329 (a) Each state department, institution or agency shall review its
330 policies and practices to insure that they are consistent with the state's
331 environmental policy as set forth in sections 22a-1 and 22a-1a.

332 (b) (1) Each sponsoring agency shall, prior to a decision to prepare
333 an environmental impact evaluation pursuant to subsection (c) of this
334 section for an action which may significantly affect the environment,
335 conduct an early public scoping process.

336 (2) To initiate an early public scoping process, the sponsoring

337 agency shall provide notice on a form that has been approved by the
338 Council on Environmental Quality, which shall include, but not be
339 limited to, the date, time and location of any proposed public scoping
340 meeting and the duration of the public comment period pursuant to
341 subdivision (3) of this subsection, to the council, the Office of Policy
342 and Management and any other state agency whose activities may
343 reasonably be expected to affect or be affected by the proposed action.

344 (3) Members of the public and any interested state agency
345 representatives may submit comments on the nature and extent of any
346 environmental impacts of the proposed action during the thirty days
347 following the publication of the notice of the early public scoping
348 process pursuant to this section.

349 (4) A public scoping meeting shall be held at the discretion of the
350 sponsoring agency or if twenty-five persons or an association having
351 not less than twenty-five persons requests such a meeting within ten
352 days of the publication of the notice in the Environmental Monitor. A
353 public scoping meeting shall be held not less than ten days following
354 the notice of the proposed action in the Environmental Monitor. The
355 public comment period shall remain open for at least five days
356 following the meeting.

357 (5) A sponsoring agency shall provide the following at a public
358 scoping meeting: (A) A description of the proposed action; (B) a
359 description of the purpose and need of the proposed action; (C) a list of
360 the criteria for a site for the proposed action; (D) a list of potential sites
361 for the proposed action; (E) the resources of any proposed site for the
362 proposed action; (F) the environmental limitations of such sites; (G)
363 potential alternatives to the proposed action; and (H) any information
364 the sponsoring agency deems necessary.

365 (6) Any agency submitting comments or participating in the public
366 scoping meeting pursuant to this section shall include, to the extent
367 practicable, but not be limited to, information about (A) the resources
368 of any proposed site for the proposed action, (B) any plans of the

369 commenting agency that may affect or be affected by the proposed
370 action, (C) any permits or approvals that may be necessary for the
371 proposed action, and (D) any appropriate measures that would
372 mitigate the impact of the proposed action, including, but not limited
373 to, recommendations as to preferred sites for the proposed action or
374 alternatives for the proposed action that have not been identified by
375 the sponsoring agency.

376 (7) The sponsoring agency shall consider any comments received
377 pursuant to this section or any information obtained during the public
378 scoping meeting in selecting the proposed actions to be addressed in
379 the environmental impact evaluation and shall evaluate in its
380 environmental impact evaluation any substantive issues raised during
381 the early public scoping process that pertain to a proposed action or
382 site or alternative actions or sites.

383 (c) Each state department, institution or agency responsible for the
384 primary recommendation or initiation of actions which may
385 significantly affect the environment shall in the case of each such
386 proposed action make a detailed written evaluation of its
387 environmental impact before deciding whether to undertake or
388 approve such action. All such environmental impact evaluations shall
389 be detailed statements setting forth the following: (1) A description of
390 the proposed action which shall include, but not be limited to, a
391 description of the purpose and need of the proposed action, and, in the
392 case of a proposed facility, a description of the infrastructure needs of
393 such facility, including, but not limited to, parking, water supply,
394 wastewater treatment and the square footage of the facility; (2) the
395 environmental consequences of the proposed action, including
396 cumulative, direct and indirect effects which might result during and
397 subsequent to the proposed action; (3) any adverse environmental
398 effects which cannot be avoided and irreversible and irretrievable
399 commitments of resources should the proposal be implemented; (4)
400 alternatives to the proposed action, including the alternative of not
401 proceeding with the proposed action and, in the case of a proposed
402 facility, a list of all the sites controlled by or reasonably available to the

403 sponsoring agency that would meet the stated purpose of such facility;
404 (5) an evaluation of the proposed action's consistency and each
405 alternative's consistency with the state plan of conservation and
406 development, an evaluation of each alternative including, to the extent
407 practicable, whether it avoids, minimizes or mitigates environmental
408 impacts, and, where appropriate, a description of detailed mitigation
409 measures proposed to minimize environmental impacts, including, but
410 not limited to, where appropriate, a site plan; (6) an analysis of the
411 short term and long term economic, social and environmental costs
412 and benefits of the proposed action; (7) the effect of the proposed
413 action on the use and conservation of energy resources; [and] (8) a
414 description of the effects of the proposed action on sacred sites or
415 archaeological sites of state or national importance; and (9) an analysis
416 of the effect of the proposed action on greenhouse gas and other air
417 pollutant emissions and the economic and safety needs of the state. In
418 the case of an action which affects existing housing, the evaluation
419 shall also contain a detailed statement analyzing (A) housing
420 consequences of the proposed action, including direct and indirect
421 effects which might result during and subsequent to the proposed
422 action by income group as defined in section 8-37aa and by race, and
423 (B) the consistency of the housing consequences with the long-range
424 state housing plan adopted under section 8-37t. As used in this section,
425 "sacred sites" and "archaeological sites" shall have the same meaning as
426 in section 10-381 and "greenhouse gas" shall have the same meaning as
427 in section 22a-200, as amended by this act.

428 (d) (1) The Council on Environmental Quality shall publish a
429 document at least once a month to be called the Environmental
430 Monitor which shall include any notices the council receives pursuant
431 to sections 22a-1b to 22a-1i, inclusive, as amended by this act, and shall
432 include notice of the opportunity to request a public scoping meeting.
433 Filings of such notices received by five o'clock p.m. on the first day of
434 each month shall be published in the Environmental Monitor that is
435 issued not later than ten days thereafter.

436 (2) The Council on Environmental Quality shall post the

437 Environmental Monitor on its Internet site and distribute a
438 subscription or a copy of the Environmental Monitor by electronic mail
439 to any state agency, municipality or person upon request. The council
440 shall also provide the Environmental Monitor to the clerk of each
441 municipality for posting in its town hall.

442 Sec. 8. Section 29-256a of the 2008 supplement to the general statutes
443 is repealed and the following is substituted in lieu thereof (*Effective*
444 *October 1, 2008*):

445 (a) On and after January 1, 2008, the State Building Inspector and
446 the Codes and Standards Committee shall revise the State Building
447 Code to require that buildings and building elements, including
448 residential, be designed to provide optimum cost-effective energy
449 efficiency over the useful life of the building. [Such revision shall meet
450 the American Society of Heating, Refrigerating and Air Conditioning
451 Engineers Standard 90.1 for new construction.]

452 (b) Notwithstanding subsection (a) of this section, the State Building
453 Inspector and the Codes and Standards Committee shall revise the
454 State Building Code to require that any (1) building, except a
455 residential building with no more than four units, constructed after
456 January 1, 2009, that is projected to cost not less than five million
457 dollars, and (2) renovation to any building, except a residential
458 building with no more than four units, started after January 1, 2010,
459 that is projected to cost not less than two million dollars shall be built
460 or renovated using building construction standards consistent with or
461 exceeding the silver building rating of the Leadership in Energy and
462 Environmental Design's rating system for new commercial
463 construction and major renovation projects, as established by the
464 United States Green Building Council, or an equivalent standard,
465 including, but not limited to, a two-globe rating in the Green Globes
466 USA design program. The inspector and the committee shall provide
467 for an exemption for any building if the Institute for Sustainable
468 Energy finds, in a written analysis, that the cost of such compliance
469 significantly outweighs the benefits.

470 (c) Not later than January 1, 2009, the State Building Inspector and
471 the Codes and Standards Committee shall revise the State Building
472 Code to include the most stringent model energy standards available.
473 Such revisions shall meet the most recent version of the International
474 Energy Conservation Code standards or the American Society of
475 Heating, Refrigerating and Air Conditioning Engineers Standard 90.1
476 for new construction, as appropriate. After said revision, the State
477 Building Inspector and the Codes and Standards Committee shall
478 revise the State Building Code not later than six months after the
479 publication of any revision to such standards.

480 (d) Not later than January 1, 2009, the Secretary of the Office of
481 Policy and Management, in consultation with the Commissioners of
482 Public Works, Environmental Protection and Public Safety, shall adopt
483 regulations, in accordance with the provisions of chapter 54, for any
484 new construction or major renovation of a state-owned or leased
485 building, to create building construction energy standards that exceed
486 the standard set forth in the American Society of Heating,
487 Refrigerating and Air Conditioning Engineers Standard 90.1 by not
488 less than twenty per cent. The secretary may revise such regulations as
489 necessary.

490 Sec. 9. (*Effective from passage*) (a) On or before July 1, 2008, the
491 Commissioner of Administrative Services shall establish, in accordance
492 with the provisions of chapter 67 of the general statutes, the class of
493 certified energy inspector within the Office of Policy and Management.

494 (b) On or before September 1, 2008, the Office of Policy and
495 Management shall develop a training and certification program for the
496 class established under subsection (a) of this section.

497 Sec. 10. (NEW) (*Effective January 1, 2009*) No certificate of occupancy
498 shall be issued for a new construction project or major renovation
499 project until such project has been certified by a certified energy
500 inspector as being in compliance with the energy standards established
501 in accordance with section 29-256a of the 2008 supplement to the

502 general statutes, as amended by this act.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2008</i>	22a-200
Sec. 2	<i>October 1, 2008</i>	22a-200a
Sec. 3	<i>October 1, 2008</i>	22a-200b
Sec. 4	<i>October 1, 2008</i>	22a-200c
Sec. 5	<i>October 1, 2008</i>	New section
Sec. 6	<i>October 1, 2008</i>	New section
Sec. 7	<i>October 1, 2008</i>	22a-1b
Sec. 8	<i>October 1, 2008</i>	29-256a
Sec. 9	<i>from passage</i>	New section
Sec. 10	<i>January 1, 2009</i>	New section

ENV *Joint Favorable Subst.*